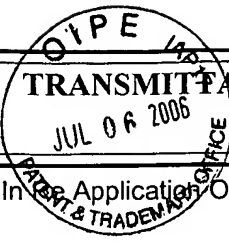


07-07-06

CPCW

 TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under 37 CFR 1.97(b) or 1.97(c))				Docket No. 15436.247.11.1	
In Application Of: Hofmeister et al.					
Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/697,395	October 30, 2003	Kenneth J. Malkowski	022913	2633	7465
Title: AUTOMATIC SELECTION OF DATA RATE FOR OPTOELECTRONIC DEVICES					
<p style="text-align: center;">Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</p> <p style="text-align: center;">37 CFR 1.97(b)</p> <p>1. <input type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.</p> <p style="text-align: center;">37 CFR 1.97(c)</p> <p>2. <input checked="" type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:</p> <p style="margin-left: 40px;"><input type="checkbox"/> the statement specified in 37 CFR 1.97(e);</p> <p style="text-align: center;">OR</p> <p style="margin-left: 40px;"><input checked="" type="checkbox"/> the fee set forth in 37 CFR 1.17(p).</p>					

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
15436.247.11.1

In Re Application of: **Hofmeister et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/697,395	October 30, 2003	Kenneth J. Malkowski	022913	2633	7465

Title: **AUTOMATIC SELECTION OF DATA RATE FOR OPTOELECTRONIC DEVICES**

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(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

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Dated: July 6, 2006

Peter F. Malen, Jr.
Attorney for Applicants
Reg. No. 45,576
Telephone No. 801-533-9800

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Applicant(s): Hofmeister et al.

Docket No.

15436.247.11.1

Application No.

10/697,395

Filing Date

October 30, 2003

Examiner

Kenneth J. Malkowski

Customer No.

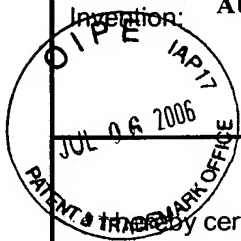
022913

Group Art Unit

2633

Invention:

AUTOMATIC SELECTION OF DATA RATE FOR OPTOELECTRONIC DEVICES



I hereby certify that the following correspondence:

Information Disclosure Statement (2 pgs); Form 1449 (8 pgs); copies of 31 non-patent references; Transmittal Letter (2 pgs in duplicate); Credit Card Payment Form and Postcard

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Hofmeister et al.

) Art Unit
) 2633

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Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). While no representation is made that any of these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which the undersigned is

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presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each of the listed non-patent references or relevant portion thereof is also enclosed.

In accordance with 37 C.F.R. § 1.98(c), all English translations known by the undersigned to be within the possession, custody, control or availability of anyone designated in 37 C.F.R. § 1.56(c) of each non-English reference, if any, are also enclosed.

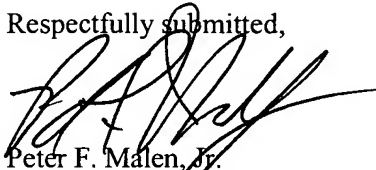
Since all listed references are either in the English language, or are accompanied by either a translation into English, or an English language Abstract, no concise explanation of relevance is required under 37 C.F.R. § 1.98(a)(3).

Submission Fee
Under 37 C.F.R. § 1.97(c)

In accordance with 37 C.F.R. § 1.97(c), payment in the amount of \$180.00 to cover the submission fee is enclosed to secure consideration of the references submitted with this Information Disclosure Statement. Please credit any over payment or charge any additional fees to Deposit Account No. 23-3178 of the undersigned.

Dated this 6TH day of July, 2006.

Respectfully submitted,



Peter F. Malen, Jr.
Attorney for Applicants
Registration No. 45,576
Customer No. 022913
Telephone No. 801-533-9800

PFM/gpm

Applicant: Hofmeister, et al.

Serial No.: 10/697,395

Att'y Docket No.: 15436.247.11.1

Filing Date: October 30, 2003

Group: 2633

For: AUTOMATIC SELECTION OF DATA RATE FOR OPTOELECTRONIC DEVICES

INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANTU.S. Patent Documents

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Issue Date</u>	<u>Name</u>
___ 1	4,359,553	11/16/1982	Edwards
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___ 14	5,383,208	01/17/1995	Queniat et al.

Examiner:

Date Considered:

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Applicant: Hofmeister, et al.

Serial No.: 10/697,395

Att'y Docket No.: 15436.247.11.1

Filing Date: October 30, 2003

Group: 2633

For: AUTOMATIC SELECTION OF DATA RATE FOR OPTOELECTRONIC
DEVICES

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_____ 33	6,049,413	04/2000	Taylor

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Date Considered:

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Att'y Docket No.: 15436.247.11.1

Filing Date: October 30, 2003

Group: 2633

For: AUTOMATIC SELECTION OF DATA RATE FOR OPTOELECTRONIC
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For: AUTOMATIC SELECTION OF DATA RATE FOR OPTOELECTRONIC DEVICES

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<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Pub. Date</u>	<u>Name</u>
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_____ 66	2002/0097468	07/25/2002	Mecherle et al.
_____ 67	2002/0101641	08/2002	Kurchuk

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Group: 2633

For: AUTOMATIC SELECTION OF DATA RATE FOR OPTOELECTRONIC
DEVICES

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Filing Date: October 30, 2003

Group: 2633

For: AUTOMATIC SELECTION OF DATA RATE FOR OPTOELECTRONIC DEVICES

Foreign Patent Documents

Examiner <u>Initial*</u>	Document <u>Number</u>	Publication <u>Date</u>	Country or <u>Patent Office</u>
_____ 85	JP 402102589 A	04/16/1990	Japan
_____ 86	JP 404023373 A	01/1992	Japan
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Applicant: Hofmeister, et al.

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Filing Date: October 30, 2003

Group: 2633

For: AUTOMATIC SELECTION OF DATA RATE FOR OPTOELECTRONIC DEVICES

Other Documents

(including author, title, pertinent pages, etc.)

Examiner

Initial*

- _____ 102 Yi Cai et al., "Jitter testing for gigabit serial communication transceivers," Jan – Feb 2002, IEEE Design and Test of Computers, Vol. 19, Issue 1, pp 66-74.
- _____ 103 MAEDA, Noriyuki "Notification of Reason(s) for Refusal," Japanese Patent Application No. JP2002-563630, Nakamura, M. et al., July 13, 2005.
- _____ 104 Finisar Corp., "App. Note AN-2025: Using the Finisar GBIC I²C Test Diagnostics Port," 1998.
- _____ 105 Hausdorf, Reiner, "Mobile Transceiver Measurements with Radiocommunication Service Monitor CMS," News from Rohde & Schwarz, 127, IV, 1989, pp 4-7.
- _____ 106 Webopedia: The 7 Layers of the OSI Model [online] [retrieved 10/15/03]. Retrieved from Internet: URL: http://webopedia.internet.com/quick_ref/OSI_Layers.asp
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- _____ 109 Webopedia.com: 12C [online] [retrieved 11/11/03]. Retrieved from Internet: URL: <http://www.webopedia.com/TERM/I/12C.html>
- _____ 110 Manchester Encoding [online] [retrieved 11/12/03]. Retrieved from Internet: URL: <http://www.erg.abdn.ac.uk/users/gorry/course/phy-pages/man.html>
- _____ 111 Documentation entitled "IR Receiver ASSP: T2525", copyright 2003 by Atmel Corporation

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Applicant: Hofmeister, et al.

Serial No.: 10/697,395

Att'y Docket No.: 15436.247.11.1

Filing Date: October 30, 2003

Group: 2633

For: AUTOMATIC SELECTION OF DATA RATE FOR OPTOELECTRONIC
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- _____ 112 Documentation entitled "IR Receiver for Data Communication: U2538B",
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- _____ 113 Documentation entitled "Low-Voltage Highly Selective IR Receiver IC: T2527",
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- _____ 114 Documentation entitled "Application Note: T2525/26/27", copyright 2003 by
Atmel Corporation
- _____ 115 *Optiport SFF BiDi-Transceiver 100 Mbit/s, 1310 nm Tx/1550 nm Rx*, Infineon
Technologies, June 22, 2004, pp. 1-14.

References Cited by Applicants

While the filing of Information Disclosure Statements is voluntary, the procedure is governed by the guidelines of Section 609 of the Manual of Patent Examining Procedure and 37 C.F.R. §§ 1.97 and 1.98. To be considered a proper Information Disclosure Statement, Form PTO-1449 shall be accompanied by a copy of each listed patent or publication or other item of information and a translation of the pertinent portions of foreign documents (if an existing translation is readily available to the applicant), an explanation of relevance of each reference not in the English language, and should be submitted in a timely manner as set out in MPEP Sec. 609.

Examiners will consider all citations submitted in conformance with 37 C.F.R. § 1.98 and MPEP Sec. 609 and place their initials adjacent the citations in the spaces provided on this form. Examiners will also initial citations not in conformance with the guidelines which may have been considered. A reference may be considered by the Examiner for any reason whether or not the citation is in full conformance with the guidelines. A line will be drawn through a citation if it is not in conformance with the guidelines AND has not been considered. A copy of the submitted form, as reviewed by the Examiner, will be returned to the applicant with the next communication. The original of the form will be entered into the application file.

Each citation initialed by the Examiner will be printed on the issued patent in the same manner as references cited by the Examiner on Form PTO-892.

The reference designations "A1," "A2," etc. (referring to Applicant's reference 1, Applicant's reference 2, etc.) will be used by the Examiner in the same manner as Examiner's reference designations "A," "B," "C," etc. on Office Action Form PTO-1142.

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